

1 LAW OFFICES OF SCOTT L. TEDMON
2 A Professional Corporation
3 SCOTT L. TEDMON, CA. BAR # 96171
4 717 K Street, Suite 227
5 Sacramento, California 95814
6 Telephone: (916) 441-4540
7 Facsimile: (916) 441-4760
8 Email: tedmonlaw@comcast.net

9
10 Attorney for Defendant
11 TROY URIE

12
13
14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,)
18 Plaintiff,) CR.S-03-534 FCD
19)
20 v.) STIPULATION AND ORDER
21) TO CONTINUE STATUS
22) CONFERENCE; FINDING
23) OF EXCLUDABLE TIME
24 TROY URIE,)
25 Defendant.)
26

27 The United States of America, through Assistant U.S. Attorney Heiko Coppola, and
28 defendant Troy Urie, through his counsel Scott L. Tedmon, hereby stipulate and agree as follows:

1. The current status conference in this case is set for April 27, 2009 at 10:00 a.m.
2. In this case, the Court has previously excluded time under the Speedy Trial Act through March 30, 2009 under 18 U.S.C. §3161(h)(8)(B)(ii) and (iv), [Local Code T2 and T4], complex case and counsel's need for time to prepare.
3. This case is complex in that the Indictment charges facts which involve multiple jurisdictions, some located across the United States. Additionally, there are legal issues involving alleged conduct in other federal jurisdictions which involve ongoing litigation. Specifically, defendant Urie is currently represented by attorney John Balazs in his appeal to the Ninth Circuit from his conviction arising out of the Northern District of California. The facts presented by the government in the Northern District conviction included conduct charged in this case. In reviewing

1 both the Northern District and Eastern District cases with defendant Uriel and attorney John Balazs,
2 the issue of collateral estoppel will need to be litigated in both the Ninth Circuit appeal and in the
3 case at bar. As such, the setting of a briefing schedule on this issue is necessary. The parties have
4 agreed on the following proposed briefing schedule:

5 Defense motion due: June 29, 2009

6 Government response due: July 20, 2009

7 Defense reply due: August 3, 2009

8 Non-evidentiary hearing on motion: August 17, 2009 at 10:00 a.m.

9 In addition to this legal issue, the defense continues to conduct their investigation and
10 review of the case. Based on these factors, the parties stipulate that the Court's finding of
11 complexity and counsel's need for time to prepare pursuant to 18 U.S.C. § 3161(h)(8)(B)(ii) and (iv)
12 is appropriate.

13 4. The parties stipulate and agree that the Court should reiterate its previous finding that
14 time should be excluded under the Speedy Trial Act, pursuant to 18 U.S.C. §3161(h)(8)(B)(ii) and
15 (iv), [Local Code T2 and T4], and that the ends of justice therefore outweigh the best interest of the
16 public in a speedy trial.

17 5. Accordingly, it is hereby stipulated and the parties agree that time be excluded from April
18 27, 2009 through August 17, 2009 under the Speedy Trial Act pursuant to 18 U.S.C.
19 §3161(h)(8)(B)(ii) and (iv), [Local Code T2 and T4], in that this case is complex, counsel for the
20 parties need time to prepare, and that the ends of justice outweigh the best interest of the public in
21 a speedy trial.

22 6. Michele Krueger has approved the requested court date.

23 7. Scott L. Tedmon has been authorized by the government's counsel to sign this stipulation
24 on his behalf.

25 **IT IS SO STIPULATED.**

26 DATED: April 22, 2009

LAWRENCE G. BROWN
Acting United States Attorney

27
28 /s/ Heiko Coppola
HEIKO COPPOLA

1
2 DATED: April 22, 2009

Assistant United States Attorney
LAW OFFICES OF SCOTT L. TEDMON
/s/ Scott L. Tedmon
SCOTT L. TEDMON
Attorney for Defendant Troy Urie

8 **ORDER**

9 GOOD CAUSE APPEARING and based upon the above stipulation, the Court adopts the
10 briefing schedule on the issue of collateral estoppel and IT IS ORDERED:

11 Defense motion due: June 29, 2009

12 Government response due: July 20, 2009

13 Defense reply due: August 3, 2009

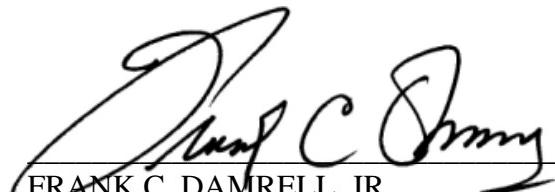
14 Non-evidentiary hearing on motion: August 17, 2009 at 10:00 a.m.

15 The Court reiterates its previous finding that time be excluded under the Speedy Trial Act
16 pursuant to 18 U.S.C. §3161(h)(8)(B)(ii) and (iv), [Local Code T2 and T4], in that the case is
17 complex, that counsel needs additional time to prepare, and that the ends of justice therefore
18 outweigh the best interest of the public in a speedy trial.

19 Accordingly, IT IS FURTHER ORDERED that pursuant to 18 U.S.C. §3161(h)(8)(B)(ii) and
20 (iv), [Local Code T2 and T4] the period from April 27, 2009, to and including August 17, 2009, is
21 excluded from the time computations required by the Speedy Trial Act.

22 **IT IS SO ORDERED.**

23
24 DATED: April 23, 2009



25 FRANK C. DAMRELL, JR.
26 UNITED STATES DISTRICT JUDGE
27
28